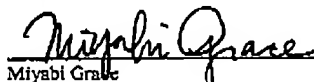


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October 22, 2004

Date


Miyabi Grace

PATENT

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Application No. 09/836,003

Group Art Unit: 3725

Applicant(s): Emilio J. Gutierrez;
Peter M. Hafermann;
Matthew W. Phillips

Examiner: Rosenbaum, Mark

Filing Date: April 17, 2001

Docket No. 58598-010100

Title: Powder Processing

Customer No. 33717

REQUEST FOR RECONSIDERATION OF FINAL REJECTION

Dear Sir/Madam:

Applicant submits this Request for Reconsideration in response to the Final Office Action (claims 30,32-43,45-54,62-64,71-73 rejected), mailed on September 27, 2004. In support of the present request, the Applicant submits the following:

(i) in the Action, the rejection of claims 30,32-43,45-54,62-64,71-73 is motivated by the asserted lack of arguments against one prior art reference (the Ivie reference) in the arguments filed by the Applicant, on April 1, 2004 and July, 8, 2004 (see Action, page 2, first paragraph);

(ii) arguments against the Ivie reference, are in fact included in the Amendments filed on April 1, 2004, in particular on points 12 and 13 of the arguments reported on page 18 and 19 of the Amendment.

Accordingly, the Applicant respectfully requests that the finality of the rejection be withdrawn (see MPEP706.07(d)).

Additionally, the Applicant respectfully submits the arguments reported in the Amendment filed on April 1, 2004, support the patentability of currently pending claims 30, 32-

Docket No. 58598-010100

✓ Appl. No.
Amdt. dated
Reply to Office action of

43, 45-54, 62-64, 71-73 against the rejection under 35 USC 103 raised by the Examiner over the admitted prior art in view of Ivie.


Therefore the Applicant also requests that a timely Notice of Allowance be issued in this case.

Should matters remain which the Examiner believes could be resolved in a further telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-2638. Please ensure that the Attorney Docket Number is referred to when charging any payments or credits for this case.

Respectfully submitted,

Date: October 22, 2004


Enrica Bruno
Limited recognition (Attached)

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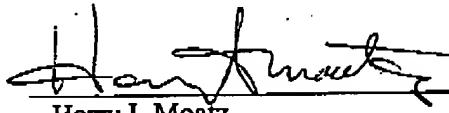
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

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This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the United States Patent and Trademark Office.

Expires: March 23, 2005


Harry I. Moatz
Director of Enrollment and Discipline